

## NEWS

# Trappe man convicted of armed robbery at Kohl's, Limerick



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COURTHOUSE >> A Trappe man showed no emotion Wednesday as a Montgomery County jury convicted him of the armed robbery of a jewelry counter clerk at the Kohl's store in Limerick.

David Phillip Piergrossi, 52, of the first block of Elio Circle, was convicted of charges of robbery, terroristic threats, theft by unlawful taking, receiving stolen property, simple assault and possessing an instrument of crime in connection with the 8:35 a.m. June 18, 2012, holdup at the South Township Line Road store. The jury deliberated nearly four hours before reaching a verdict after hearing testimony over the course of two days.

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But Piergrossi's legal problems are far from over. Piergrossi, who has a previous 1996 robbery conviction, is also awaiting a preliminary hearing on charges he and a Pottstown man allegedly robbed a Bensalem Township, Bucks County, coin store while brandishing a knife on Dec. 9, 2014, according to court records.

"This was a brazen armed robbery. There were surveillance cameras all around and nothing stopped him. He wanted that gold," said Assistant District Attorney Heather Hines, referring to the Kohl's holdup, adding an armed Piergrossi terrorized the 66-year-old jewelry counter clerk.

Testifying Wednesday, the clerk recalled the would-be robber approached the jewelry counter, covering his lower face with a white cloth while claiming he was suffering from allergies. But the clerk, becoming extremely emotional, testified the encounter took a turn for the worse when the man, wearing a dark blue, fleece shirt, blue jeans, work boots and a black bandanna covering the top of his head, brandished a handgun with "a long barrel."

"I just screamed. I just screamed. I screamed at the top of my lungs. I said, 'Help me, please help me,'" the clerk, choking back tears, testified, adding the robber yelled, "Give them all to me" as he came behind the counter and raided a display case containing gold chains.

The clerk's dramatic testimony came one day after jurors viewed video surveillance footage, recorded by Kohl's security cameras, of the robbery. Testimony revealed the weapon carried by the robber was a pellet gun.

"I just kept thinking if I could just possibly get away from this man he wouldn't shoot me," the clerk told jurors who appeared riveted to her testimony, adding she somehow found the strength to leap over a counter to get away from the robber. "I just prayed to God that he wouldn't shoot me in the back."

The clerk testified she was "78 percent" sure that Piergrossi was the man who robbed the store. A store loss prevention officer who followed the suspect as he fled from the store testified he had no doubt that Piergrossi was the robber. Witnesses reported seeing the robber get into a black Jeep

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Defense lawyer Francis Walsh implied there was too much uncertainty about the identity of the robber given that none of the witnesses saw the robber's entire face and based their identifications on his general appearance.

"Neither one can see his face. That's why I say this is the 'My Cousin Vinny' defense," said Walsh, referring to the plot of the 1992 comedy film "My Cousin Vinny" to make his assertion that witnesses misidentified Piergrossi as the robber.

When he took the stand in his defense, Piergrossi, appearing confident, testified he was not the man who robbed the store. Piergrossi, who claimed to be a coin dealer who also owned a painting company, maintained one of his employees had borrowed his Jeep Cherokee and met him on the parking lot of a paint store shortly after 8:30 a.m. and gave him a bag of gold for which Piergrossi said he paid \$1,000.

"Did I know they were going to be from a robbery that morning? No way, or I wouldn't have bought them," Piergrossi told jurors, claiming he ran "a respectable business."

In his testimony Piergrossi did identify an employee by name but that person has never been charged in connection with the incident and was not called as a witness at trial. Piergrossi told Hines he had no tax documentation to prove he had an employee at the time.

Choosing to testify, Piergrossi also had to come clean about his 1996 conviction for robbery. However, the jury was unaware that Piergrossi is still awaiting trial in connection with the alleged Bensalem coin shop robbery.

Hines characterized Piergrossi's testimony as "ridiculous."

Hines argued there were too many "ties that bind" Piergrossi to the robbery, referring to testimony that Piergrossi was stopped by police within minutes of the robbery in a vehicle matching the description of the Jeep Cherokee seen fleeing from the store's parking lot by witnesses.

Additionally, Hines argued, more than a dozen gold chains, many still

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About six minutes after the robbery, Limerick police observed the suspect's vehicle on Lewis Road, about two miles from the store. Police stopped the vehicle and identified Piergrossi as the driver, according to the criminal complaint filed by Limerick Detective Matthew Daywalt.

A search of the vehicle uncovered a white cloth the robber allegedly used to cover his face, an air-powered pellet gun "converted to look more like a true firearm," and more than a dozen white or yellow gold chains, with Kohl's sales tags still attached, according to the arrest affidavit.

Piergrossi, during his testimony, denied ownership of the pellet gun found in his vehicle.

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